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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Amendment of the Commission's )  
Rules Regarding Installment Payment )  
Financing For Personal Communications )  
Services (PCS) Licensees )  
)  
Amendment of Part 1 of the Commission's )  
Rules – Competitive Bidding Proceeding )

WT Docket No. 97-82

**PETITION FOR RECONSIDERATION**

URS Greiner, Inc., pursuant to section 1.429 of the Commission's rules, 47 C.F.R. § 1.429, respectfully requests reconsideration of certain aspects of the Second Report and Order in the above-captioned proceeding.<sup>1</sup> Specifically, the Commission should:

1. Permit licensees to retain licenses in which they have made significant build-out;
2. Permit licensees to utilize their full down payment in the Disaggregation and Prepayment options; and,
3. Adjust the Prepayment option to account for the net present value of forgoing installment payments.

URS Greiner, Inc. is an architectural/engineering design and construction management services provider. URS Greiner has contracts in place with C Block licensees. In anticipation of fulfilling these contractual obligations, we have expanded our resources, hired additional personnel and bought equipment necessary for the work. It is very

<sup>1</sup> Amendment of the Commission's Rules Regarding Installment Payment Financing For Personal Communications Services (PCS) Licenses, Second Report and Order, WT Docket No. 97-82, FCC 97-342, rel. Oct. 16, 1997 ("Restructuring Order").

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important to our current business and operational plans that the licensees retain their licenses and have reasonable payment plans provided to them so that this work may proceed.

The FCC's restructuring decision is punitive to C Block bidders, and as a result, harms a number of small businesses engaged in supporting C Block build-out activities. Such companies have made significant investments and created a number of jobs in anticipation of supporting the rapid build-out and commercialization of C block networks.

We are particularly concerned that the Commission apparently did not consider the comments made by our principal advocate within the Administration, the Small Business Association ("SBA"). According to the letter, "There are thousands of small business vendors, suppliers, contractors, engineering and marketing firms across the country who have not had the opportunity to finalize service contracts or commence work for C-block licensees."<sup>2</sup>

Small businesses and the jobs that we create are at the heart of the C block. While this proceeding is contentious, it is important to continue to focus on the contribution that we are all trying to make to facilities-based competition, at the same time that most of the headlines are devoted to consolidation, rather than competition, among giant telecommunications companies.

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<sup>2</sup> See Jere W. Glover, Chief Counsel, U.S. Small Business Administration and Jenell S. Trigg, Assistant Chief Counsel, Telecommunications, to The Honorable Reed E. Hundt, Chairman, Federal Communications, *ex parte* letter, September 8, 1997 at p. 5.

We believe in auction integrity and fairness. However, in offering a set of options to C block licensees that is so limited as to be punitive, the Commission inadvertently punished numerous suppliers and vendors who relied on C block licensees for new business. Commission policy should promote opportunities for all small businesses, including those engaged in supporting network build-out activities.

Auction integrity also involves Government's responsibility to give small businesses reasonable and sufficient notice of upcoming auctions to plan their businesses and raise needed capital. It is ironic that the FCC's 2.3 GHz auction effectively destroyed C block valuations. It was procedurally very much outside of the "integrity" of any normal spectrum management policies.

The Restructuring Order did not provide C block licensees with any commercially reasonable alternatives. We are concerned that the Order will result in even more bankruptcy filings by distressed C block licensees, which will delay further network build-out and, ultimately, a new competitor in the marketplace.

We urge you to reconsider the affect your decision has had on suppliers to the wireless marketplace. The C block experiment has not resulted in a significant amount of new facilities-based competition, as was anticipated. However, this public policy experiment can be a success if C block licensees are provided with commercially reasonable restructuring alternatives.

Respectfully Submitted,

**URS GREINER, INC.**



Marc A. Marzullo, PE  
Vice President

cc:   The Honorable William Kennard  
      The Honorable Susan Ness  
      The Honorable Harold Furchtgott-Roth  
      The Honorable Michael Powell  
      The Honorable Gloria Tristani  
      Mr. Daniel Phythyon  
      Ms. Sandra Danner